

Subpart B—Identification and Evaluation of Handicapped Children

§ 45.11 Child find.

Each Agency must insure that every child within its jurisdiction between the ages of birth and twenty-two years who is suspected of being handicapped and in need of special education and related services is identified and located. A formal child find effort must be conducted at least once each school year and must include procedures to identify children:

(a) Enrolled in a regular education program operated by the schools of the Agency;

(b) Enrolled in a pre-school or day-care program on or near the reservation; or

(c) Currently out-of-school, including dropouts but excluding children who have graduated or otherwise successfully completed programs. Schools shall conduct child find activities for in-school identification as described in § 45.12.

§ 45.12 Child find—elements.

Each Agency shall:

(a) Conduct a *formal community* survey through any effective method to identify children of all ages who may be in need of special education and related services.

(b) Regularly present or distribute child find information at tribal government or agency meetings, tribal fairs, chapter/district meetings, etc.

(c) Establish a system of in-school identification by which each local school supervisor or designee refers children whose academic performance, attendance, or other behavior indicates the possibility of a handicapping condition for an individual evaluation.

(d) Establish a procedure by which child identification data is regularly collected from the Indian Health Service, local Headstart programs, day care facilities, group homes, local public and non-public schools, the state education agency (of the state in which the Agency is located), tribal agencies and/or organizations and any other appropriate education, health, welfare or social service organization in the community served by the Agency. A formal

procedure for the exchange of information between the State Organizational Unit conducting the "Early Periodic Screening, Diagnosis and Treatment Program" (mandated by title XIX of the Social Security Act) for the state in which the school is located and the Agency in which the school is located shall be established within 180 days from the effective date of this part.

(e) Publish public information articles and programs in local media, including announcements of times, dates, and places of free orientation workshops and free screening.

(f) Initiate annual community-wide communication to all parents of school age children which describes the special education program. Such communication shall emphasize the availability of programs and services for school age children.

§ 45.13 Register of children.

Each school shall maintain information on each handicapped child enrolled in the program. All information collected and maintained must be kept in accordance with the confidentiality requirements of Pub. L. 94-142 and the Privacy Act.

§ 45.14 General entry screening.

Each school shall participate in a screening program for all *newly* enrolled children and children who have not previously been screened in the school. Such screening shall be conducted by the school in order to identify those children who should be referred for a full individual evaluation. The general entry screening shall consist of the following elements, appropriately adapted for use with children of his/her particular age. This screening must be completed within thirty (30) days of the child's enrollment and include at a minimum:

(a) An appropriate vision screening;

(b) An appropriate hearing screening;

(c) A screening of the child's primary language skills;

(d) The administration by a classroom teacher of a general screening instrument (i.e., rating scale) to provide information regarding:

(1) Current academic performances,

(2) Social and emotional behavior,

(3) Gross motor skills,